

Appl. No. 10/774,072
Amendment dated March 16, 2006
Reply to Office Action of November 16, 2006

REMARKS

With the entry of the present amendment, claims 4 and 8-11 are in this application. Claims 1-3 and 5-7 have been cancelled without prejudice. Claim 4 has been amended to incorporate the limitations of claims 1-3. Claims 10-11 have been amended; support is set forth below, and claim 10 has been amended to depend from claim 4 (as amended). None of the amendments made herein constitutes the addition of new matter.

Claims Rejections - 35 USC § 112

The Office Action rejects claims 10-11 under 35 USC § 112, second paragraph, as allegedly failing to point out and distinctly claim the subject matter the applicant regards as his invention, and states:

These claims appear to not further limit the claims from which they depend as written. Claims 10 and 11 set forth that the bottom connectors may include, the casing body may include, and the top connectors may include. If they may include they may also not include.

In the interest of advancing prosecutions, Applicant has amended claims 10-11 to delete the recitation of "may." Top and lower connectors limitations have been rewritten to clarify the alternatives and remove permissive language. Support resides in the specification at page 7, lines 24-29, and the paragraph bridging pages 7 and 8, respectively. Claims 10-11 have also been amended to indicate the casing body includes an inwardly extending stop shoulder formed at the top of the casing seal chamber, as supported in the specification at p. 6, lines 8-9. Additionally, Applicant has amended claims 10-11, replacing "bottom connectors" with "lower connectors", for consistency with the antecedent in claim 4.

Applicant submits that the amended claims 10-11 are not indefinite and add further limitations to the claims from which they depend, and accordingly respectfully

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requests withdrawal of the rejection of claims 10-11.

Claims Rejection - 35 USC § 102

The Office Action rejects claims 1-3, 5-7, and 10 under 35 USC § 102(b) as allegedly anticipated by Dallas (CA 2,276,973). Applicant respectfully traverses this rejection.

In the rejection, the Patent Office has stated:

Dallas discloses a casing adaptor tool 200 (fig. 4.). The tool has top connections 120 to connect to production or service equipment and bottom connections 122 to connect to the top of the casing. The bore has profiles at 227 forming a casing seal chamber and profile 224 forming a barrier seal chamber. The claims as currently written do not require any sealing means but only profiles on the tool forming sealing chambers. Any profile on the bore body can be interpreted as a seal chamber. As to claim 2, profile 224 would at least accommodate a latched or snap ring type valve or plug. Again remember that no plug or valve is being claimed. As to claim 3, the profile 224 is full bore. As to claims 5-7, body 200 includes a tubing portion 125 at its upper end that includes the upper connectors. A tubing hanger can be placed in the tubing head. Any plug can be landed in the tubing hanger. As to claim 10, this claim adds no limitations to claim 1, and is rejected in the same manner.

The Examiner further notes that claim 4, 8, and 9 would be allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for his suggestions. In the interest of advancing prosecution and without acquiescing to the rejection, Applicant has amended claim 4 to include all the limitations of claims 1-3 and cancelled claims 1-3 and 5-7. Applicant submits that the amended claim 4, original claims 8-9 and amended claims 8-9 are not anticipated by Dallas (CA 2,227,973). Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 4, 8, and 9.

Applicant further has amended claim 10 to depend upon the new independent

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claim, claim 4. Applicant submits that as claims 10 and 11 depend on different parent claims (4 and 8, respectively), and add new subject matter (see above), Applicant respectfully requests withdrawal of the rejections of claims 10 and 11.

Conclusion

In view of the foregoing, it is submitted that this case is in condition for allowance, and passage to issuance is respectfully requested.

If there are any outstanding issues related to patentability, the courtesy of a telephone interview is requested, and the Examiner is invited to call to arrange a mutually convenient time.

This response is accompanied by a Petition for Extension of Time (one month), and authorization to charge \$120.00 as required under 37 C.F.R. 1.17. It is believed that this response does not necessitate the payment of any additional fees under 37 C.F.R. 1.16-1.17. However, if this is incorrect, please deduct the appropriate fee from this submission from Deposit Account No. 07-1969

Respectfully submitted,



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